

Shimkus Terry Weldon (FL)
Shuster Thornberry Weller
Simpson Tiahrt Westmoreland
Smith (NE) Tiberi Whitfield (KY)
Smith (NJ) Turner Wilson (NM)
Smith (TX) Upton Wilson (SC)
Souder Walberg Wittman (VA)
Stearns Walden (OR) Wolf
Sullivan Walsh (NY) Young (AK)
Tancred Wamp Young (FL)

NOT VOTING—15

Baca Lampson Rush
Barton (TX) Mahoney (FL) Snyder
Cannon Manzullo Speier
Cubin Pryce (OH) Watson
Gillibrand Putnam Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1258

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 224, nays 193, not voting 17, as follows:

[Roll No. 452]

YEAS—224

Abercrombie Davis (AL) Israel
Ackerman Davis (CA) Jackson (IL)
Allen Davis (IL) Jackson-Lee
Altmire Davis, Lincoln (TX)
Andrews DeFazio Jefferson
Arcuri DeGette Johnson (GA)
Baird Delahunt Johnson, E. B.
Baldwin DeLauro Jones (OH)
Barrow Dicks Kagen
Bean Doggett Kanjorski
Becerra Donnelly Kaptur
Berkley Doyle Kennedy
Berman Edwards (MD) Kildee
Berry Edwards (TX) Kilpatrick
Bishop (NY) Ellison Kind
Blumenauer Ellsworth Klein (FL)
Boren Emanuel Kucinich
Boswell Engel Langevin
Boucher Eshoo Larsen (WA)
Boyd (FL) Etheridge Larson (CT)
Boyd (KS) Farr Lee
Brady (PA) Fattah Levin
Brady (IA) Filner Lewis (GA)
Brown, Corrine Foster Lipinski
Butterfield Frank (MA) Loeb sack
Capps Giffords Lofgren, Zoe
Capuano Gillibrand Lowey
Cardoza Gonzalez Lynch
Carnahan Gordon Maloney (NY)
Carney Green, Al Markey
Carson Green, Gene Marshall
Castor Grijalva Matheson
Cazayoux Gutierrez Matsui
Chandler Hall (NY) McCarthy (NY)
Childers Hare McCollum (MN)
Clarke Harman McDermott
Clay Hastings (FL) McGovern
Cleave Herseth Sandlin McIntyre
Clyburn Higgins McNerney
Cohen Hinchey McNulty
Conyers Hinojosa Meek (FL)
Cooper Hirono Meeks (NY)
Costa Hodes Melancon
Costello Holden Michaud
Courtney Holt Miller (NC)
Cramer Honda Miller, George
Crowley Hooley Mitchell
Cuellar Hoyer Mollohan
Cummings Inslee Moore (KS)

Moore (WI) Roybal-Allard Sutton
Moran (VA) Ruppengerberger Tanner
Murphy (CT) Ryan (OH) Tauscher
Murphy, Patrick Salazar Taylor
Murtha Sanchez, Linda Thompson (CA)
Nadler T. Thompson (MS)
Napolitano Sanchez, Loretta Tierney
Neal (MA) Sarbanes Towns
Oberstar Schakowsky Tsongas
Obey Schiff Udall (CO)
Oliver Schwartz Udall (NM)
Ortiz Scott (GA) Van Hollen
Pallone Scott (VA) Velázquez
Pascrell Serrano Visclosky
Pastor Sestak Walz (MN)
Payne Shea-Porter Wasserman
Perlmutter Sherman Schultz
Peterson (MN) Shuler Waters
Pomeroy Sires Watt
Price (NC) Skelton Waxman
Rahall Slaughter Weiner
Rangel Smith (WA) Welch (VT)
Reyes Solis Wilson (OH)
Richardson Space
Rodriguez Spratt Woolsey
Ross Stark Wu
Rothman Stupak Yarmuth

NAYS—193

Aderholt Gerlach Paul
Akin Gilchrest Pearce
Alexander Gingrey Pence
Bachmann Gohmert Peterson (PA)
Bachus Goode Petri
Barrett (SC) Goodlatte Pickering
Bartlett (MD) Granger Pitts
Barton (TX) Graves Platts
Biggert Hall (TX) Poe
Bilirakis Hastings (WA) Porter
Bishop (UT) Hayes Price (GA)
Blackburn Heller Radanovich
Boehner Hensarling Ramstad
Bonner Herger Regula
Bono Mack Hill Rehberg
Boozman Hobson Reichert
Boustany Hoekstra Renzi
Brady (TX) Hulshof Reynolds
Broun (GA) Hunter Rogers (AL)
Brown (SC) Inglis (SC) Rogers (KY)
Brown-Waite, Issa Rogers (MI)
Ginny Johnson (IL) Rohrabacher
Buchanan Johnson, Sam Ros-Lehtinen
Burgess Jones (NC) Roskam
Burton (IN) Jordan Royce
Buyer Keller Ryan (WI)
Calvert King (IA) Sali
Camp (MI) Kingston Saxton
Campbell (CA) Kirk Scalise
Cantor Kline (MN) Schmidt
Capito Knollenberg Sensenbrenner
Carter Kuhl (NY) Sessions
Castle LaHood Shadegg
Chabot Lamborn Shays
Coble Latham Shimkus
Cole (OK) LaTourette Shuster
Conaway Latta Simpson
Crenshaw Lewis (CA) Smith (NE)
Culberson Lewis (KY) Smith (NJ)
Davis (KY) Linder Smith (TX)
Davis, David LoBiondo Souder
Davis, Tom Lucas Stearns
Deal (GA) Lungren, Daniel
Dent E. Sullivan
Diaz-Balart, L. Mack Tancred
Diaz-Balart, M. Manzullo Terry
Doolittle Marchant Thornberry
Drake McCarthy (CA) Tiahrt
Dreier McCaul (TX) Tiberi
Duncan McCotter Turner
Ehlers McCrery Upton
Emerson McHenry Walberg
English (PA) McHugh Walden (OR)
Everett McKeon Walsh (NY)
Fallin McMorris Wamp
Feeney Rodgers Weldon (FL)
Ferguson Mica Weller
Flake Miller (FL) Westmoreland
Forbes Miller (MI) Whitfield (KY)
Fortenberry Miller, Gary Wilson (NM)
Fossella Moran (KS) Wilson (SC)
Foxy Murphy, Tim Wittman (VA)
Franks (AZ) Musgrave Wolf
Frelinghuysen Myrick Young (AK)
Gallegly Neugebauer Young (FL)
Garrett (NJ) Nunes

NOT VOTING—17

Baca Bishop (GA) Cannon
Bilbray Blunt Cubin

Dingell Pryce (OH) Speier
King (NY) Putnam Watson
Lampson Rush Wexler
Mahoney (FL) Snyder

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes left in this vote.

□ 1304

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 3195, ADA AMENDMENTS ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1299, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 221, nays 194, not voting 19, as follows:

[Roll No. 453]

YEAS—221

Abercrombie DeFazio Kanjorski
Ackerman DeGette Kaptur
Allen Delahunt Kennedy
Altmire DeLauro Kildee
Arcuri Dicks Kilpatrick
Baird Dingell Kind
Baldwin Doggett Klein (FL)
Barrow Doyle Kucinich
Bean Edwards (MD) Langevin
Becerra Edwards (TX) Larsen (WA)
Berkley Ellison Larson (CT)
Berman Ellsworth Lee
Berry Emanuel Levin
Bishop (GA) Engel Lewis (GA)
Bishop (NY) Eshoo Lipinski
Blumenauer Etheridge Loeb sack
Boren Farr Lofgren, Zoe
Boswell Fattah Lowey
Boucher Filner Lynch
Boyd (FL) Foster Maloney (NY)
Boyda (KS) Frank (MA) Markey
Brady (PA) Giffords Marshall
Brady (IA) Gillibrand Matheson
Braley (IA) Gonzalez Matsui
Brown, Corrine Butterfield Gordon McCarthy (NY)
Butterfield Capps Green, Al McCollum (MN)
Capps Capuano Green, Gene McDermott
Cardoza Grijalva McGovern
Carnahan Gutierrez McIntyre
Carney Hall (NY) McNulty
Carson Hare Meek (FL)
Castor Harman Meeks (NY)
Cazayoux Hastings (FL) Melancon
Chandler Herseth Sandlin Michaud
Childers Higgins Mitchell
Clarke Hinchey Mollohan
Clay Hinojosa Moore (KS)
Cleave Hirono Moore (WI)
Clyburn Hodes Moran (VA)
Cohen Holt Murphy (CT)
Conyers Honda Hooley
Cooper Hooley Hoyer
Costa Courtney Israel
Costello Cramer Jackson (IL)
Courtney Crowley Jackson-Lee
Cramer Cuellar (TX)
Crowley Cummings Jefferson
Cuellar Davis (AL) Johnson (GA)
Cummings Davis (CA) Johnson, E. B.
Davis (IL) Jones (OH)
Davis, Lincoln Kagen Pastor

Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff

NAYS—194

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Billray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Fox
Franks (AZ)
Frelinghuysen
Gallegly

NOT VOTING—19

Andrews
Baca
Blunt
Burton (IN)
Cannon
Cubin
Lampson

Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Holden
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCauley (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave

Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Weiner
Welch (VT)
Wilson (OH)
Woolsey
Wu
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1312

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ALTERNATIVE MINIMUM TAX
RELIEF ACT OF 2008

Mr. RANGEL. Mr. Speaker, I call up the bill (H.R. 6275) to amend the Internal Revenue Code of 1986 to provide individuals temporary relief from the alternative minimum tax, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6275

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the “Alternative Minimum Tax Relief Act of 2008”.

(b) REFERENCE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title, etc.

TITLE I—INDIVIDUAL TAX RELIEF

Sec. 101. Extension of increased alternative minimum tax exemption amount.

Sec. 102. Extension of alternative minimum tax relief for nonrefundable personal credits.

TITLE II—REVENUE PROVISIONS

Sec. 201. Income of partners for performing investment management services treated as ordinary income received for performance of services.

Sec. 202. Limitation of deduction for income attributable to domestic production of oil, gas, or primary products thereof.

Sec. 203. Limitation on treaty benefits for certain deductible payments.

Sec. 204. Returns relating to payments made in settlement of payment card and third party network transactions.

Sec. 205. Application of continuous levy to property sold or leased to the Federal Government.

Sec. 206. Time for payment of corporate estimated taxes.

TITLE I—INDIVIDUAL TAX RELIEF

SEC. 101. EXTENSION OF INCREASED ALTERNATIVE MINIMUM TAX EXEMPTION AMOUNT.

(a) IN GENERAL.—Paragraph (1) of section 55(d) is amended—

(1) by striking “(\$66,250 in the case of taxable years beginning in 2007)” in subparagraph (A) and inserting “(\$69,950 in the case of taxable years beginning in 2008)”, and

(2) by striking “(\$44,350 in the case of taxable years beginning in 2007)” in subparagraph (B) and inserting “(\$46,200 in the case of taxable years beginning in 2008)”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 102. EXTENSION OF ALTERNATIVE MINIMUM TAX RELIEF FOR NONREFUNDABLE PERSONAL CREDITS.

(a) IN GENERAL.—Paragraph (2) of section 26(a) is amended—

(1) by striking “or 2007” and inserting “2007, or 2008”, and

(2) by striking “2007” in the heading thereof and inserting “2008”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

TITLE II—REVENUE PROVISIONS

SEC. 201. INCOME OF PARTNERS FOR PERFORMING INVESTMENT MANAGEMENT SERVICES TREATED AS ORDINARY INCOME RECEIVED FOR PERFORMANCE OF SERVICES.

(a) IN GENERAL.—Part I of subchapter K of chapter 1 is amended by adding at the end the following new section:

“SEC. 710. SPECIAL RULES FOR PARTNERS PROVIDING INVESTMENT MANAGEMENT SERVICES TO PARTNERSHIP.

“(a) TREATMENT OF DISTRIBUTIVE SHARE OF PARTNERSHIP ITEMS.—For purposes of this title, in the case of an investment services partnership interest—

“(1) IN GENERAL.—Notwithstanding section 702(b)—

“(A) any net income with respect to such interest for any partnership taxable year shall be treated as ordinary income for the performance of services, and

“(B) any net loss with respect to such interest for such year, to the extent not disallowed under paragraph (2) for such year, shall be treated as an ordinary loss.

All items of income, gain, deduction, and loss which are taken into account in computing net income or net loss shall be treated as ordinary income or ordinary loss (as the case may be).

“(2) TREATMENT OF LOSSES.—

“(A) LIMITATION.—Any net loss with respect to such interest shall be allowed for any partnership taxable year only to the extent that such loss does not exceed the excess (if any) of—

“(i) the aggregate net income with respect to such interest for all prior partnership taxable years, over

“(ii) the aggregate net loss with respect to such interest not disallowed under this subparagraph for all prior partnership taxable years.

“(B) CARRYFORWARD.—Any net loss for any partnership taxable year which is not allowed by reason of subparagraph (A) shall be treated as an item of loss with respect to such partnership interest for the succeeding partnership taxable year.

“(C) BASIS ADJUSTMENT.—No adjustment to the basis of a partnership interest shall be made on account of any net loss which is not allowed by reason of subparagraph (A).

“(D) EXCEPTION FOR BASIS ATTRIBUTABLE TO PURCHASE OF A PARTNERSHIP INTEREST.—In the case of an investment services partnership interest acquired by purchase, paragraph (1)(B) shall not apply to so much of any net loss with respect to such interest for any taxable year as does not exceed the excess of—

“(i) the basis of such interest immediately after such purchase, over

“(ii) the aggregate net loss with respect to such interest to which paragraph (1)(B) did not apply by reason of this subparagraph for all prior taxable years.

Any net loss to which paragraph (1)(B) does not apply by reason of this subparagraph